HON'BLE Dr. JUSTICE G. YETHIRAJULU

Writ Petition No.24102 of 1998

Dated this the 19th day of November, 2007

Between:

P. Gandhi … Petitioner

and

The Deputy Registrar of Cooperative Societies,
Bhadrachalam, Khammam District,
and 2 others … Respondents

HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.24102 of 1998

ORDER:

This Writ Petition has been filed by the petitioner seeking to declare that the order dated 31.12.1993 passed by the first respondent and to other consequential proceedings are illegal, arbitrary and violative of Article 14 of the Constitution of India and also contrary to the provisions of the Andhra Pradesh Cooperative Societies Act.

2) The petitioner received the sur-charge proceedings issued by the first respondent for an amount of Rs.6,859.20 paise under four heads. The petitioner filed a representation on 08.03.1994 representing that the amounts covered by the moped loan and photo advance have been remitted into the bank and the salary of Rs.4,637.70/- was drawn for the strike period. Though it was directing of the said amount is illegal, the Government through G.O.Ms.No.308, dated 30.12.2006 permitted for treating the payment already made to

the Paid Secretaries as regular expenditure so that the amounts kept under due to the accounts and corresponding provision be nullified as there will not be any effect on the financial condition of the society since the amount was already spent. By virtue of the said Government Order, the expenditure towards salary for the strike period has been regularized. There remains the balance amount of Rs.833/- for which there is no proper explanation from the petitioner.

3) In the light of the above circumstances, I am inclined to direct the concerned authorities to verify the remittances already made and to take note of the G.O.Ms.No.308, dated 30.12.2006 and delete those amounts from the sur-charge proceedings and continue the proceedings only in respect of the amount for which there was no proper explanation and no remittance before the sur-charge proceedings.

4) Accordingly, the writ petition is disposed of.

No costs.

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Dr.G. YETHIRAJULU, J

Date: 19.12.2007
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